



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/241,043	02/01/1999	JUNE Y. FELIX	P/2167-86	8109

2352 7590 07/01/2002

OSTROLENK FABER GERB & SOFFEN
1180 AVENUE OF THE AMERICAS
NEW YORK, NY 100368403

EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
----------	--------------

3628

DATE MAILED: 07/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/241,043

Applicant(s)
Felix et al.

Examiner
Nga B. Nguyen

Art Unit
3628



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Apr 4, 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9 and 11-45 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-9 and 11-45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

*See the attached detailed Office action for a list of the certified copies not received.

- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____ 20) ☐ Other: _____

Art Unit: 3628

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on April 4, 2002, which paper has been placed of record in the file.
2. Claim 10 is canceled. Claims 1-9 and 11-45 are pending in this application.

Response to Arguments/Amendment

3. Applicant's arguments with respect to claims 1-45 have been considered but are not persuasive. In the arguments, applicant stated that the billing service provider (BSP 104) and the customer service provider (CSP 102) speak directly to each other in Schutzer's, examiner disagrees. In Schutzer's the billing service provider and the customer service provider communicates each other through the commerce document server (see figures 1-4). The commerce document server receives the billing data from the billing service provider and delivers such billing data to the customer service provider (see column 9, lines 24-35). Thus, the *claimed invention* are met. The *claimed invention* are not affected by the actual directly communication between the parties as in the applicant's arguments. Therefore, Examiner decides to maintain the previous Office action (see details below) and made this Office action FINAL.
4. **THIS ACTION IS MADE FINAL.** See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 3628

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

6. Claims 1-9 and 11-45 are rejected under 35 U.S.C. 102(e) as being anticipated by Schutzer, U.S. Patent No. 6,292,789.

Claims 1-9, 11-21 are system claims that parallel limitation as found in claims 28-34, 36-45 as discussed below, therefore, are rejected by the same rationale.

Art Unit: 3628

Regarding claim 22, Schutzer discloses a system for routing electronic account data, comprising:

a first provider of account services having a first user service provider for communicating account data initiated from a first set of users, and a first customer service provider for communicating the account data with a first set of customers (figure 5);

a second provider of account services having a second user service provider for communicating account data initiated from a second set of users, and a second customer service provider for communicating the account data with a second set of customers (figure 5); and

an electronic account exchange system communicating with the first and second user service providers and the first and second customer service providers, the electronic account exchange system being operable to permit one or more of the first set of users to communicate its account data with one or more of the second set of customers (figure 5 and column 12, lines 60-65).

Regarding claim 23, Schutzer further discloses the settlement information is communicated over the electronic bill exchange system periodically (column 12, line 60-column 13, line 10).

Regarding claim 24, Schutzer further discloses the settlement information is communicated over the electronic bill exchange system on a daily basis (column 14, line 27-30).

Regarding claim 25, Schutzer further discloses the settlement information includes amounts of funds released, identities of the customers for whom bills have been paid, identities

Art Unit: 3628

of the customers service providers holding the respective financial accounts for the customers for whom bills have been paid (column 12, line 60-65).

Regarding claim 26, Schutzer further discloses at least of the customers service providers who released funds to pays bill on behalf of respective customers may communicate settlement information over the electronic bill exchange system during a single transmission concerning at least one of more than one amount of funds released, more than customer, and more than one identity of customer service provider holding a financial account for a customer for whom bill has been paid (column 14, line 4-25).

Regarding claim 27, Schutzer further discloses the electronic bill exchange system is operable to route subsets of the settlement information to respective service providers holding financial accounts for the customers for whom bills have been paid (column 12, line 60-column 13, line 10).

Regarding claim 28, Schutzer discloses a method of routing electronic account data, comprising the steps of:

initiating account data from a user among a plurality of sets of users and communicating the account data to a respective user service provider among a plurality of user service providers, each associated with a set of users (figure 8, column 15, line 37-column 16, line 7);

communicating the account data to an electronic account exchange system for linking the user service providers with a plurality of customer service providers, each customer service provider being associated with a respective set of customers (column 9, line 25-35);

Art Unit: 3628

routing the account data to any one of the customer service provider based on routing criteria (column 11, line 50-column 12, line 12); and

communicating the account data from the customer service provider to a customer from among the plurality of sets of customers, such that any of the users I capable of communicating account data to any of the customers (figure 9, column 16, line 8-column 17, line 35).

Regarding claim 29, Schutzer further discloses obtaining the routing criteria by searching an electronically searchable user directory associated with the electronic account exchange system, the directory for providing an index for linking the user service providers with customer service providers (column 11, line 50-column 12, line 12).

Regarding claim 30, Schutzer further discloses the user directory includes, for each user, at least one of a user identifier, a user name, user customer service contact information, account payment information, account presentment information, user routing information, and remittance information (column 11, line 50-column 12, line 12).

Regarding claim 31, Schutzer further discloses the user identifier includes an alpha-numeric code (column 11, line 50-column 12, line 12).

Regarding claim 32, Schutzer further discloses the user customer service contact information includes at least one of a name, an address, a phone number a facsimile number, an URL address, and an electronic mail address (column 11, line 50-column 12, line 12).

Art Unit: 3628

Regarding claim 33, Schutzer further discloses the account payment information includes at least one of a mechanism for account payment, payment instruments accepted, and remittance details (column 12, lines 60-67).

Regarding claim 34, Schutzer further discloses the account presentment information includes at least one of an electronic address at which detailed account information may be found, a user business identifier, and enrollment requirements (column 12, lines 42-54).

Regarding claim 35, Schutzer further discloses the electronic account exchange system includes an electronic account routing system operable to direct the account data between one or more of the user service providers and one or more of the customer service providers based on the information contained in the user directory (figure 5, column 13, lines 57-60).

Regarding claim 36, Schutzer further discloses the account data represent bills imitated by billing parties who provide goods or service to the customers, the user service providers are billing service providers; and the providers of account services are banks which include respective billing service providers and customer service providers (column 8, lines 39-58).

Regarding claim 37, Schutzer further discloses any of the customer service providers is operable to execute the step of requesting billing information for presentment to one or more of its customers as a function of at least one of a specified time period and a specified customer (column 15, lines 25-35).

Art Unit: 3628

Regarding claim 38, Schutzer further discloses routing the request to respective billing service providers using the electronic account exchange system as a function of at least one of the specified time period and the specified customer (column 13, lines 1-11).

Regarding claim 39, Schutzer further discloses providing at least a subset of the billing information initiated from respective billing parties to the one or more customer service providers requesting the billing information via the respective billing service providers and the electronic account exchange system (column 14, lines 35-50).

Regarding claim 40, Schutzer further discloses the subset of the billing information includes an electronic address at which the billing information may be viewed by the respective customer (column 14, lines 47-50).

Regarding claim 41, Schutzer further discloses the electronic address is an Internet URL address (column 14, lines 47-50).

Regarding claim 42, Schutzer further discloses presenting the subset of billing information to the respective customers to which the billing information is directed via the customer service providers (column 14, lines 47-67).

Regarding claim 43, Schutzer further discloses an activator is provided at the electronic address at which the customer may view the billing information, which activator is capable of indicating that the customer desires to electronically pay the bill (column 14, lines 25-67) .

Regarding claim 44, Schutzer further discloses executing payment of the bill when the customer executes the activator via the customer service provider (column 15, lines 3-35).

Art Unit: 3628

Regarding claim 45, Schutzer further discloses customer service provider need not be a holder of financial account of the customer to execute payment of the bill (column 7, lines 49-50).

Conclusion

7. Claims **1-9** and **11-45** are rejected.
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen, whose telephone number is (703)306-2901. The examiner can normally be reached on Monday-Friday from 7:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin, can be reached on (703)308-1065.

9. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks
c/o Technology Center 2700
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

or:

(703) 308-5397 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,

Art Unit: 3628

2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-3900.

Nga B. Nguyen
June 25, 2002


VINCENT MILLIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 3600